

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants –Allegation of Corruption against Dr. D.Subba Rao, Associate Professor, Pediatric Surgery, King George Hospital & Andhra Medical College, Visakhapatnam –Prosecution – Orders- issued

HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O.Ms.No. 122

Dated:04-05-2011

Read the following:

1. G.O.Ms.No.576, Health, Medical & Family Welfare (VC1) Department, Dt.24-11-2005
2. G.O.Ms.No.27, Health, Medical & Family Welfare (VC1) Department, Dt.29-1-2010.
3. From the Director General, Anti Corruption Bureau, Hyderabad Lr.No.188/RCT/WVP/2004-S11, Dt.16-3-2011.

O R D E R :

Dr. D.Subba Rao, Associate Professor, Pediatric Surgery, King George Hospital & Andhra Medical College, Visakhapatnam was trapped by the Anti Corruption Bureau on 16-12-2004, when he demanded and accepted an amount of Rs.1,500/- from the complainant for doing official favour. Accordingly in G.O. 1<sup>st</sup> read above orders were issued sanctioning prosecution of the Accused Officer Dr. D.Subba Rao, before the designated court.

2. In the reference 2<sup>nd</sup> read above, Government have cancelled the prosecution orders issued in the reference 2<sup>nd</sup> read above, and also ordered for withdrawal of the prosecution.

3. The Director General, Anti Corruption Bureau in his letter 3<sup>rd</sup> read above has reported that as per the orders issued in G.O. 2<sup>nd</sup> read above, the public prosecutor filed a request for withdrawal of prosecution u/s 321 of Cr.P.C. before the Court of Special Judge for SPE & ACB cases, Visakhapatnam. The Hon'ble court in its order dt. 07-02-2011 dismissed the petition for withdrawal of prosecution on the ground that "dropping prosecution against a Government servant who demanded bribe from two persons belonging to the poorest class of the society, does not serve public interest. The demand for bribe in the given facts had completely put at risk the life of an innocent one month old kid. Therefore, viewed from any angle, the grounds stated in the G.O. issued by the Government or in the petition filed for withdrawal can not stand legal scrutiny" and therefore refused permission for withdrawal of prosecution in this case. Therefore, the Director General, Anti Corruption Bureau has requested for cancellation of G.O.Ms.No.27, dt. 29-01-2010.

2. After careful examination of the matter, the Government have decided to cancel the orders issued in G.O.Ms.No.27, Health, Medical & Family Welfare (VC1) Department, Dt.29-1-2010, with due regard for the observations of Special Judge for Anti Corruption Bureau cases, Visakhapatnam in Crl.M.P.No.16/2010 in CC.No.10/2006, dt.7-2-2011. Accordingly, the Government orders issued in G.O.Ms.No.27, dt.29-01-2010 are cancelled with immediate effect.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.P.V.RAMESH

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director General, Anti Corruption Bureau, Hyderabad

Copy to

The Secretary to Vigilance Commissioner,

A.P.Vigilance Commission, Hyderabad

Sf / Sc.

// FORWARDED::BY ORDER//

SECTION OFFICER